

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GILEAD SCIENCES, INC.,)	
)	
Plaintiff,)	
)	
v.)	C. A. No. 21-1615 (MN)
)	
LUPIN LIMITED,)	
)	
Defendant.)	

CONSENT JUDGMENT AND DISMISSAL ORDER

This action for patent infringement having been brought by Plaintiff Gilead Sciences, Inc. (“Gilead”) against defendant Lupin Limited (“Lupin”) for infringement of U.S. Patent Nos. 8,754,065, and 9,296,769.

Gilead and Lupin (“the Parties”) have agreed to the terms and conditions in a Confidential Settlement and License Agreement (the “Agreement”) and accordingly, have agreed to terminate the pending litigation by the entry of this Judgment and Order; and

The Parties now consent to this Judgment and Order.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. This Court has jurisdiction over the Parties and subject matter of this action.
2. All affirmative defenses, claims and counterclaims, which have been raised by Gilead against Lupin and its Affiliates, or by Lupin and its Affiliates against Gilead, in this action are hereby dismissed without prejudice.
3. Except as otherwise provided by the Parties’ Agreement, Lupin and its Affiliates are hereby enjoined from making, having made, using, having used, offering for sale, having offered for sale, selling, or having sold in the United States, or importing or having imported into the United States, the tenofovir alafenamide active ingredient component of the product of ANDA

No. 216511, until permitted under the Parties' Agreement. For purposes of this Judgment and Order, "Affiliates" means, with respect to a person, any other person controlling, controlled by or under common control with such person, but only as long as such control continues, where control and its correlates, as used in this definition, means (a) the ownership of at least fifty percent (50%) of the equity or beneficial interest of such other person, (b) the right to vote for or appoint a majority of the board of directors or other governing body of such other person, or (c) the power, whether pursuant to contract, ownership of securities, or otherwise, to direct the management and policies of such other person.

4. The Parties waive all right to appeal from this Judgment and Order.

5. This Court shall retain jurisdiction of this action and over the parties for purposes of enforcement of the provisions of this Judgment and Order.

6. Each Party is to bear its own costs and attorneys' fees.

7. Nothing in this Consent Judgment and Dismissal Order has any impact on *Gilead Sciences, Inc. et al. v. Lupin Ltd. et al.*, C.A. No. 1:21-CV-01621-MN or any remedies Plaintiffs may seek in that action.

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March 14, 2023

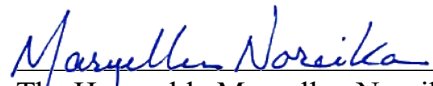
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IT IS SO ORDERED this 15th day of March 2023.


The Honorable Maryellen Noreika
United States District Judge